

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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MAR 25 2003

In the Matter of)
)
 Petition of Cox Virginia Telcom, Inc)
 Pursuant to Section 252(e)(5) of the)
 Communications Act for Preemption)
 of the Jurisdiction of the Virginia)
 State Corporation Commission)
 Regarding Interconnection Disputes)
 with Verizon-Virginia, Inc. and)
 for Arbitration)

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

CC Docket No. 00-249

**MOTION FOR LEAVE TO RESPOND
 TO VERIZON FEBRUARY 10 LETTER**

Cox Virginia Telcom, Inc. ("Cox") hereby requests leave to file a letter in response to the February 10, 2003 letter of Kelly Faglioni (the "February 10 Letter") on behalf of Verizon Virginia, Inc. ("Verizon") in the above-captioned proceeding.¹ Acceptance of Cox's response to the February 10 Letter will ensure that the Commission has full information Concerning the issues in this proceeding and is necessary to ensure procedural fairness.

Initially, the February 10 Letter makes certain claims regarding state proceedings concerning the subject matter of Issue 1-6 in this proceeding. The Cox response addresses those claims and demonstrates why they are incorrect. Thus, the Cox response will advance the Commission's consideration of the issues in this proceeding.

It also is appropriate to permit such a response because Cox otherwise will have no opportunity to answer Verizon's claims and because the February 10 letter was filed outside the


¹ The response is being filed contemporaneously with this motion.

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normal pleading cycle for petitions for reconsideration.’ Consequently, the Commission should grant leave for Cox to file its response.

Respectfully submitted,

COX VIRGINIA TELCOM, INC.


By: J.G. Harrington
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Its Attorneys

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March 25, 2003

² 47 C.F.R. § 1.106 (describing permissible pleadings on reconsideration).

CERTIFICATE OF SERVICE

I, Vicki Lynne Lyttle, a legal secretary at Dow, Lohnes & Albertson, PLLC do hereby certify that on this 25th day of March, 2003, copies of the foregoing Motion for Leave to File Response to Verizon February 10 Letter were served as follows:

TO FCC as follows (by hand):

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Common Carrier Bureau
Federal Communications Commission
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Jeffrey Dygert
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Cathy Carpino
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AT&T
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TO VERIZON as follows: (by Overnight Delivery)

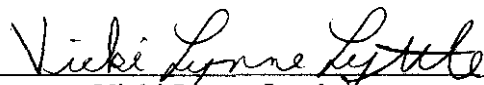
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